

660 OPIOID TREATMENT PROGRAM MID-LEVEL EXEMPTION

EFFECTIVE DATE: 10/01/18

I. PURPOSE

This Policy applies to Opioid Treatment Programs that employ Mid-Level Practitioner providers. This Policy describes the process that the Opioid Treatment Programs (OTPs) shall follow to request for Mid-Level Practitioners to provide medication services for opioid use disorder treatment within an OTP setting.

II. DEFINITIONS

CENTER FOR SUBSTANCE ABUSE TREATMENT (CSAT)	SAMHSA's Center to promote community-based substance abuse treatment and recovery services for individuals and families in every community. CSAT provides national leadership to improve access, reduce barriers, and promote high quality, effective treatment, and recovery services.
MEDICATION ASSISTED TREATMENT (MAT)	The use of medications in combination with counseling and behavioral therapies for the treatment of substance use disorders.
MID-LEVEL EXEMPTION REQUEST	An exemption process authorized under 42 CFR Part 8.11 for OTPs to request the Single State Authority (SSA) and the Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Substance Abuse Treatment (CSAT) to provide approval to allow Mid-Level Practitioners to treat opioid-related withdrawal symptoms.
MID-LEVEL PRACTITIONER	Pursuant to Title 21, Code of Federal Regulations, Section 1300.01(b28), the term mid-level practitioner means a Nurse Practitioner or Physician Assistant, who is licensed, registered, or otherwise permitted by the United States or the jurisdiction in which he/she practices, to dispense a controlled substance in the course of professional practice.
OPIOID TREATMENT PROGRAMS (OTPs)	Licensed and accredited Programs also referred to as Medication Assisted Treatment (MAT) programs, authorized to dispense medications for the treatment of opioid use disorder through highly structured protocols defined by Federal and State regulations.

**STATE OPIOID
TREATMENT AUTHORITY
(SOTA)**

The individual responsible for administrative and clinical oversight to certified Opioid Treatment Programs, including, but not limited to planning, developing, educating, and implementing policies and procedures to ensure that opioid dependency treatment is provided at an optimal level.

**SUBSTANCE ABUSE AND
MENTAL HEALTH
SERVICES
ADMINISTRATION
(SAMHSA)**

A public agency within the U.S. Department of Health and Human Services (HHS established by Congress in 1992 to make substance use and mental disorder information, services, and research more accessible).

III. POLICY**A. OPIOID TREATMENT PROGRAM MID-LEVEL EXEMPTION PROCESS**

OTPs that employ Mid-Level Practitioners are required to complete the Mid-Level Exemption Request Process, as described below, in order to allow those practitioners to treat opioid use disorder with MAT. It is the responsibility of the practitioner to continuously monitor and abide by the Federal Guidelines for OTPs. Standards for operation can be found on the SAMHSA website at www.samhsa.gov. OTPs are responsible to maintain appropriate policies and procedures guiding the practice and supervision of Mid-Level Practitioners.

1. Mid-Level Exemption Request Process:

- a. OTPs shall complete and submit Attachment A with all required supporting documentation,
- b. The Arizona SOTA shall coordinate a team of Subject Matter Experts (SMEs) to review the submitted request and supporting documentation,
- c. The Arizona SOTA shall approve, deny, and/or return requests for further clarification based on the information provided. Requests are reviewed to ensure the exemption does not:
 - i. Violate an existing federal or state law,
 - ii. Violate an existing tribal law,
 - iii. Jeopardize the safety, health, treatment of patients, and/or
 - iv. Impede fair competition of another service provider.
- d. Approved requests will be submitted by the Arizona SOTA to CSAT for final approval. Mid-Level Exemption Requests that receive final approval from CSAT require renewal as indicated by CSAT,
- e. OTPs shall complete and submit Attachment B with all required supporting documentation for renewal of Mid-Level Exemptions,
- f. Additional Mid-Level Exemption Requests are required when an OTP intends to hire additional Mid-Level Practitioners prior to renewal of the existing approved Exemption,

- g. Documentation of Mid-Level Practitioner qualifications and training is necessary when an OTP intends to hire replacement Mid-Level Practitioners prior to renewal of the existing approved Exemption. Renewal applications shall include the current Mid-Level Practitioners employed by the OTP, and
- h. A denied request for exemption will be provided to the OTP in writing from Arizona SOTA or CSAT .

IMPLEMENTATION 10/01/18